

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Ernest Edwards v M McNutt**  
Docket No. **302165**  
L.C. No. **00-301133**

William B. Murphy, Chief Judge, acting under MCR 7.201(B)(3), orders:

The claim of appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defect in this filing, and the defects were not corrected in a timely manner by providing this Court with proof of service of the claim of appeal on counsel for appellees and a jurisdictional checklist. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules. However, it is also noted that the claim of appeal was not timely filed under MCR 7.204(A)(1)(a). Further, a party clearly cannot properly appeal an order of this Court to this Court. See, e.g., MCR 7.203(A)(1) (providing for appellate jurisdiction of this Court over appeals from the circuit court or Court of Claims).

The motion to waive fees is also DISMISSED as moot.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

MAR 15 2011

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk